THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.27949 OF 2005

Dt.30.12.2005

Between:

Vikas Degree College, rep. by its
Secretary and Correspondent,
K.Venkateswarlu … Petitioner

And

The Assistant Provident Fund Commissioner,
Employees Provident Fund Organization,
Warangal and 2 others. … Respondents

ORDER:

Heard the learned counsel for the petitioner and the learned Sanding Counsel on behalf of the respondents.

The petitioner is the Secretary and Correspondent of the Degree College. It is stated that the petitioner is paying contributions to the employees under Section 7-A of the Employees Provident Fund and Miscellaneous provisions Act, 1952 (for short 'the Act'). But there was delay in payment of the said contributions. Therefore, the first respondent issued the impugned proceedings dated 30.5.2005 under Sections 7-Q and 14-B of the Act levying interest and damages and the actual amount is to the tune of Rs.3,81,105/-. It is stated that out of the said amount, the petitioner has paid an amount of Rs.83,569/- under various challans. It is stated that the college of the petitioner is running in loss and therefore he seeks permission for

paying the remaining amount in equal instalments.

I am not expressing any confirmation in respect of the said amount paid by the petitioner is Rs.83,569/- or less. However, it is for the first respondent to verify the payment of the said amount. The petitioner submits that he has no intention to challenge the impugned order in an appeal, but only requests permission for payment of the balance amount in easy instalments in the interests of the institution and staff.

Having regard to the facts and circumstances of the case, the petitioner is permitted to pay the balance amount pursuant to the impugned proceedings in 12 equal monthly instalments commencing from 10.1.2006. On payment of the first instalment by the petitioner, the first respondent is directed to revoke the prohibitory order dated 29.6.2005.

The writ petition is disposed of accordingly. No costs.

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(V.ESWARAIAH, J.)

30.12.2005

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